IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL REVISION APPLICATION NO. 13 OF 2007

Hindustan Petroleum Corporaton Ltd., .. Applicants.

V/s.

M/s.R.P.Mehta & Anr. .. Respondents.

Mr.M.D.Siodia i/by M/s.Rustomji & Ginwala for the Applicants.

Ms.J.M.Sidhwa i/by Manoj Bhatt for the Respondent No.1.

Mr.Tushar Bhavsar i/by Avinash Joshi for the Respondent No.2.

CORAM : S. A. BOBDE, J.

DATED : 26th JULY, 2007.

P.C. :-

. After hearing the matter for some time, the following order is passed by consent of the parties.

i. The impugned order which is mainly passed on the basis that there is no agreement entered into between the petitioner and the respondent No.1 is hereby set aside.

ii. The matter is remanded back to the trial court for giving an opportunity to the petitioner to file an agreement, if it is in

existence or to consider the existence of the agreement in accordance with the law laid down by the Supreme Court in **General Manager (OSW) IBP Co. Ltd., vs. M/s. Udata Trading Corporation, decided on 11.03.1991.**

iii. All questions are left open. The trial court to decide as expeditiously as possible.

2. Civil revision application is disposed of accordingly.

(S.A.BOBDE,J.)

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